



Legislative Bulletin.....December 19, 2001

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H.R. 3507—Coast Guard Authorization Act for FY2002

H.R. 3507—Coast Guard Authorization Act for FY2002 (Young, Don)

Order of Business: The bill is scheduled to be considered on Wednesday, December 19th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3507 is essentially a composite of H.R. 1699 (which passed the House on June 7th by a vote of 411-3; lower levels of appropriations were authorized in H.R. 1699), H.R. 1098 (which passed the House on March 21st by a vote of 415-3), H.R. 1099 (which passed the House on March 22nd by a vote of 415-0), and H.R. 2481 (which has not been considered by the House). H.R. 3507 would authorize appropriations, provide for marine safety, and make other adjustments to Coast Guard policy and management.

[Authorization of Appropriations \(originally H.R. 1699\)](#)

H.R. 3507 would authorize \$5.85 billion for Coast Guard programs in FY2002—**\$1.42 billion (or 31.9%) more than the appropriation for FY2001 and \$789.5 million (or 15.6%) more than President Bush's request.** Below are the authorization levels for each of the six accounts in which programs are authorized.

Coast Guard Authorizations

Millions of Dollars

Account	FY 2001 Approps	FY 2002 Request (Bush)	FY 2002 Authorization H.R. 3507	H.R. 3507 over FY 01	H.R. 3507 over Bush
Operations & Maintenance	3,192.0	3,474.8	4,205.8	31.8%	21.0%
Acquisition & Construction	415.0	659.3	717.8	73.0%	8.9%
Research & Development	21.3	21.7	21.7	1.9%	0.0%
Retired Pay	778.0	876.3	876.3	12.6%	0.0%
Bridge Alteration	15.5	15.5	15.5	0.0%	0.0%

Environmental Compliance	16.7	16.9	16.9	1.2%	0.0%
TOTAL	4,438.5	5,064.5	5,854.0	31.9%	15.6%

- Within the “Operation and Maintenance” authorization, \$623.0 million would be available for “domestic maritime homeland security.”
- Within the “Acquisition and Construction” authorization, \$58.5 million would be available for “domestic maritime homeland security vessels and detection equipment.”

H.R. 3507 would also authorize the hiring of 44,000 active-duty personnel, a 10.9% increase over the current personnel total of an estimated 39,665.

Maritime Policy Improvement (originally H.R. 1098)

H.R. 3507 would authorize **\$500,000** in FY2002 for the federal share (50%) of building an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, CA. The bill would also adjust the recording and discharging of maritime liens by extending the laws for preferred mortgages to such liens. This portion of the bill would also make certain technical adjustments and exceptions for certain specific vessels under listed circumstances.

Personnel and Maritime Safety (originally H.R. 1099)

The provisions in this portion of H.R. 3507 can be divided into three main areas: 1) those that make changes in laws governing Coast Guard personnel, 2) those that deal with marine safety, and 3) miscellaneous adjustments to Coast Guard operations and policies.

Coast Guard personnel: H.R. 3507 would:

- Allow the Coast Guard Band Director to be promoted from the rank of Commander to Captain
- Authorize the Secretary of Transportation to give leaves of absence to personnel in isolated duty stations
- Permit the Coast Guard to promote officers ahead of their peers within a given promotion zone.

Marine safety: H.R. 3507 would require foreign-flag ships to monitor radio-telephone frequencies among ships when operating within U.S. waters between three and twelve miles offshore. Six reports that had been eliminated by the Federal Reports Elimination and Sunset Act of 1995 would be reinstated:

- Coast Guard Operations and Expenditures
- Summary of Marine Casualties Reported During Prior Fiscal Year
- User Fee Activities and Amounts
- Conditions of Public Ports of the United States
- Activities of Federal Maritime Commission
- Activities of Interagency Coordinating Committee on Oil Pollution Research.

The Coast Guard would be authorized to borrow up to \$100 million for oil-spill cleanup, but the funds would have to be repaid by the responsible parties. Civil penalties for negligent maritime operations or the interference with safe maritime operation would be raised from \$1,000 to \$5,000 for recreational vessels and \$25,000 for commercial vessels.

The existence of six Coast Guard advisory committees would be extended through September 30, 2005: Commercial Fishing Industry Vessel Advisory Committee, Houston-Galveston Navigation Safety Advisory Committee, Lower Mississippi River Waterway Advisory Committee, Navigation Safety Advisory Council, National Boating Safety Advisory Council, and Towing Safety Advisory Committee. Some advisory committees are funded with secretarial support and/or pay and travel expenses for the committee members.

Miscellaneous: H.R. 3507 would allow the Coast Guard to accept up to 7 PC-170 patrol ships from the Navy, without cost to the Coast Guard.

Commercial vessels entering U.S. waters would be required to notify the Coast Guard 24 hours prior to entry of:

- The name of the vessel
- The destination of the vessel
- The time of entry into U.S. waters
- Any dangerous cargo aboard
- Any hazardous conditions on the vessel
- Any additional information “to demonstrate compliance with applicable international agreements to which the United States is a party.”

The Coast Guard would be authorized to operate a vessel to provide technical assistance, including law enforcement training, to foreign coast guards, navies, or other maritime services.

The prohibition of the implementation of any new maritime user fees would be extended from September 30, 2001, to September 30, 2006. The Coast Guard would be required to continue to offer advice and technical assistance to organizations in the Great Lakes region that maintain lighthouses.

The bill would authorize the conveyance of the Naval Reserve Pier in Portland, Maine, to a private development corporation (provided that the corporation lease portions of the property to the U.S. government for 30 years without any additional direct payment). The bill would also authorize the conveyance of the Slip Point Light Station in Clallam County, Washington, to the County, and Point Pinos Light in California to the City of Pacific Grove, California. In both cases, the Coast Guard would still have to be allowed access to the property at any time for the purpose of maritime assistance.

The State Recreational Boating Safety Grant Program would have its federal funding increased by \$1 million, from \$82 million to \$83 million.

[Maritime Improvements \(originally H.R. 2481\)](#)

This portion of H.R. 3507 contains several dozen “maritime improvements.” Highlights include:

- Increased budget authority for Coast Guard housing from \$20.0 million per fiscal year to \$40.0 million
- Provisions for the establishment of search-and-rescue center safety standards
- Requirement for equipping appropriate personnel with hypothermia protective clothing
- Alignment of Coast Guard severance pay with Department of Defense severance pay
- Strengthening of maritime drug law enforcement
- Conveyance of Coast Guard property in Hampton Township, Michigan, and in Traverse City, Michigan
- Requirement for a new annual report by the Secretary of Transportation on the readiness of the Coast Guard to fulfill its national defense responsibilities
- Reauthorization of the Oil Spill Recovery Institute
- Authorization of fishing vessel safety training
- \$2.0 million authorized for the demolition of the Old Coast Guard Station along the Chicago lakefront

Cost to Taxpayers: No CBO cost estimate is available. H.R. 3507 would explicitly authorize \$4.978 billion for FY2002 Coast Guard appropriations, in addition to \$876.3 million in FY2002 mandatory spending. Further, language for miscellaneous provisions would authorize at least \$23.5 million in FY2002 appropriations. Authorizations of appropriations to reinstate and create reports and committees are not explicitly stated.

The federal government may increase revenues and/or reduce spending from the provisions increasing civil penalties for negligence or interference with safe operation of vessels and disposing of certain federal property.

Does the Bill Create New Federal Programs or Rules?: Yes—as detailed throughout the summary above

Constitutional Authority: A committee report citing constitutional authority specifically for H.R. 3507 is unavailable. The Committee on Transportation and Infrastructure cited Article I, Section 8 as the basis of constitutional authority for H.R. 1699 (the main authorization bill) but did not cite a specific clause within Section 8.

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